MEMORANDUM

Sub: New Agenda items and issues for inclusion in future meetings of the Inter State Council - regarding

The undersigned is directed to refer to D.O. No.1/3/2018-ISC dated January, 2019 received from the Special Secretary, Inter-State Council Secretariat, Ministry of Home Affairs, Government of India on the subject cited above.

2. The Inter-State Council Secretariat has solicited new agenda items and issues for inclusion in future meetings of the Inter-State Council.

3. The demi-official communication cited above is being circulated to all the NPOs in the Ministry and other Organisations/Institutes under the aegis of the Ministry of AYUSH with a request to furnish new agenda items and issues, if any, for inclusion in future meetings of the Inter-State Council. The hard copy and soft copy of the inputs may be furnished latest by 22.3.2019. The soft copy of the inputs may please be invariably emailed at: peayush@gmail.com in MS Office Word format only. The demi-official communication is being uploaded on the Website of the Ministry of AYUSH: www.ayush.gov.in to economise on usage of stationery. The pathway for viewing the document is: www.ayush.gov.in -->Tender/Vacancy-->Communication received from other Ministries for information of Officers under Ministry of AYUSH. The demi-official communication is being uploaded in e-Office as well for wider circulation. All concerned are requested to peruse/download the above-referred communication of Inter-State Council Secretariat.

(K.B. Sinha)
Under Secretary to the Government of India

To

2. Dr. (SRKV)/(SKA)/ Jt. Adv. (Dr. Raghu)/(Dr. Qasmi)
3. DS (RM)/(YVS)/(VB)/ Dy. Adv. (IGM)/(Chinta)/Sr.Con(SS)/IT Consultant (VS)
4. US (AB)/ US (BN)/ US(S)/DD (P&E)
5. CEO, NMPA/All Directors General of Research Councils/ Secretary, CCIM/CCH/ Directors of National Institutes/ HPL/PLIM/PCIM&H/ Managing Director, IMPCL
6. NIC Cell, Ministry of AYUSH with a request to upload the enclosed D.O. No.1/3/2019-ISC dated January, 2019 with its enclosure on the Website of the Ministry of AYUSH. It is also requested to upload the above-referred communication on e-Office.

Copy to:

1. PPS to Secretary (AYUSH)
2. PPS to AS
3. PS to JS (RJ)/PSO to JS (PNNR)
The Inter-State Council (ISC) headed by the Hon'ble Prime Minister was set up on 25 May, 1990 vide a Presidential Order (Annexure-I) under Article 263 of the Constitution of India, for investigating and discussing subjects, in which some or all of the States and the Union have a common interest and for making recommendations for better coordination of policy and action on the subject. The Council was reconstituted on 28 October, 2017 and its last meeting was held on 16 July, 2018. The Standing Committee of the ISC has completed its deliberations on Punjabi Commission Report for the next meeting of the Inter State Council.

2. I am writing to you to seek new agenda items and issues which your Ministry/Department may like to include in future meetings of the Inter State Council. As per the procedure for the Conduct of Business in the Inter State Council (Annexure-II), a formal reference to the Council can be made with a self-contained note addressed to the Secretary of the Council, setting out the issues involved, views of the Ministry/Department and the reasons for making the reference. Supporting documents, if any, along with Constitutional and legal implications of the issue also need to be sent. Any matter in the Union/Concurrent/State List in respect of which adoption of any uniform policy in regard to legislation or executive action is desirable in the national interest may be brought before the Council. Guidelines for identifying and selecting issues to be brought up before the Inter-State Council are enclosed as Annexure-III.

3. Punjabi Commission has made a large number of recommendations which can be seen in the 'Commissions' tab of the website of the Inter State Council. These points shall be discussed in the forthcoming meeting of the inter State Council. Therefore, the issues already covered in the Report of Punjabi Commission may not be repeated, unless you intend to give any additional input not already provided.
4. I shall be grateful, if you could suggest some issues for discussion in future meetings of the Inter State Council.

With regards,

Yours Sincerely

(SANJEEV GUPTA)

Shri Rajesh Kotecha
Secretary
Ministry of Ayush
AYUSH Bhawan, B Block
GOP Complex, INA Colony
New Delhi – 110023.
नई दिल्ली, सोमवार, मई 28, 1990/ध्वन्द्व 7, 1912
NEW DELHI, MONDAY, MAY 28, 1990/JYAISTHA 7, 1912

Separate Paging is given to this Part in order that it may be filed as a separate compilation

2. परिधिक की संरचना—एक अंतर-राज्य परिधिक (जिसे इसमें इसके मध्य परिधिक कहा जाएगा) गठित की जानेवाली जिसमें निम्नलिखित शामिल होंगे ;

(१) प्रधान संसद;
(२) सभी संसद के मुख्य मंत्रियों;
(३) विधान सभा का मंत्री संसद के मुख्य मंत्री तथा विधान सभा के मंत्री संसद के मंत्री को प्रवाहित;
(४) प्रधान संसदीय सभा नामक के गांव के मंत्री परिधिक के लिए लागू करें।

(नोट: नेतृत्व मंडल के रूप में संसद के सदस्यों तथा स्वतंत्र प्रभारी राज्य मंत्रियों को उस विषय में अभिलिखित किया जाया है जब उनके द्वारा देखा जाएगा विषय संबंधित विषय पर विचार किया जाना होगा।)
3. परिस्तृप के धार्मिक— धार्मिक मंत्री इस परिस्तृप के धार्मिक होने पर तथा यह परिस्तृप की बैठकों की बाँटका करने के 

व्यक्ति के संस्थान अथवा इस परिस्तृप की धार्मिक— 

dी होती है तथा इसी परिस्तृप के धार्मिक कंस्टेबल की नामस्ती कर 

खेलें है।

4. परिस्तृप कर्त्तव्य— परिस्तृप नियुक्त करने वाली नियुक्त 

होने तथा, इस योग्यता ने, वह निम्नलिखित कर्त्तव्यों का नियंत्रण करने, प्रशस्ति—

(क) ऐसे विषयों का अन्यन्तर तथा उन पर विचार करना 

जिन में बुझ या सभी राज्यों या संघ और एक या 

एक के अधिकरण राज्यों का समान हिस्सा निहित हो; 

तथा जिसे इस परिस्तृप के सामने लाना जाने;

(ख) ऐसे नियुक्त पर नियुक्तिकरण तथा सिद्धान्त— 

कर उस नियुक्ति के संरचना और या कार्यरतों 

के बेहतर सम्बन्ध हेतु सम्बन्धित करना; तथा 

(ग) राज्यों के हिस्से में संबंधित ऐसे नियुक्तियों पर विचार 

करना जिसके धार्मिक महत्व कार्य द्वारा परिस्तृप 

के सामने रखा जाता।

5. परिस्तृप की कार्य-सिद्धि— परिस्तृप राज्य के बंधन में 

निम्नलिखित विधि का अनुसरण करेगी, प्रशस्ति—

(क) परिस्तृप नए समय लाए बने बसे बुझुर्ग का पता 

लगाने तथा उनका चयन करने हेतु विषय-निवेदन 

भागलपुरे।

(ख) परिस्तृप प्रबंधक कर्ता ऐसे समय और स्थान पर 

कार्य-संबंधी विषयों के बारे में बैठकें करेगी। विशेष रूप से 

जिन विषय परिस्तृप द्वारा विचार किया जाएगा;

(ग) परिस्तृप की बैठकों गुप्त के होंगी;

(घ) परिस्तृप की बैठक के लि र ऐसे समय (धार्मिक 

साहित्य) का कोर्ट होगा;

(ङ) बैठक में परिस्तृप के बिना बाबू बने बसे प्रस्तुत 

पर संबंधित संस्थान के निम्न विश्वसनीय और सर्व- 

सम्बन्धित के बारे में सम्बन्ध जिन विषयों अंतिम होने;

(च) परिस्तृप, राज्य के संस्थान के लिए ऐसे धार्मिक 

संबंधित धार्मिक परिस्तृप ने समस्त-समस्त पर नियंत्रण करे।

6. परिस्तृप का सामन्य— परिस्तृप का सामन्य सामन्य धार्मिक निम्नलिखित ऐसे परिस्तृप के 

सामने दिखाई दें। जिन संस्थान के समस्त-समस्त पर नियंत्रण कराएं।

भारत, वेलियामु, प्रभुता/र

कैल्पिक सम्बन्ध,

वित्तक: 25 एप्रिल, 1990

* [एक एक IV-11017/3/90-ए-एस-२०७]

MINISTRY OF HOME AFFAIRS

ORDER

New Delhi, the 28th May, 1990

G.S.R. 512(E).—The following Order by the 

President is published for general information.

Whereas it appears to the President that the public 

interest would be served by the establishment of an 

Inter-State Council;

Now, therefore, in exercise of the powers 

conferred by Article 263 of the Constitution, the 

President hereby makes the following order, namely:—

1. Short title and commencement.—(1) This order 

may be called the Inter-State Council Order, 1990.

(2) It shall come into force at once.

2. Composition of the Council.—There shall be an 

Inter-State Council (hereinafter referred to as the 

Council) consisting of the;

(a) Prime Minister;

(b) Chief Ministers of all States;

(c) Chief Ministers of Union territories having 

a Legislative Assembly and Administrators of 

Union territories not having a Legislative 

Assembly;

(d) Six Ministers of Cabinet rank in the Union 

Council of Ministers to be nominated by the 

Prime Minister.

(Note: Other Ministers and Ministers of State 

having independent charge in the Union Go-

ernment may be invited as and when any item 

relating to a subject under their charge is to 

be discussed).

3. Chairman of the Council.—The Prime Minister 

shall be the Chairman of the Council and shall preside 

over the meetings of the Council:

Provided that when the Prime Minister is unable 

to preside over any meeting, he may nominate by 

Union Minister of Cabinet rank to preside over the 

meeting.
4. Duties of the Council.—The Council shall be a rightful body and in that capacity, shall perform the following duties, namely:

(a) investigating and discussing such subjects, in which some or all of the States of the Union and one or more of the States have a common interest, as may be brought up before it;

(b) making recommendations upon any such subject and in particular recommendations for the better coordination of policy and action with respect to that subject; and

(c) deliberating upon such other matters of general interest to the States as may be referred by the Chairman to the Council.

5. Procedure of the Council.—The Council shall, in the conduct of its business, observe the following procedure, namely:

(a) the Council shall adopt guidelines for identifying and selecting issues to be brought up before it;

(b) the Council shall meet at least thrice in every year and at such time and place as the Chairman may appoint in this behalf;

(c) the meetings of the Council shall be held in camera;

(d) ten members (including the Chairman) shall form the quorum for a meeting of the Council;

(e) all questions which may come up for consideration of the Council at a meeting shall be decided by consensus and the decision the Chairman as to consensus shall be final; and

(f) the Council shall, in the conduct of its business, observe such other procedure as it may, with the approval of the Central Government, lay down from time to time.

6. Secretariat of the Council.—The Council shall have a Secretariat comprising of such officers and staff as the Chairman may think fit to appoint.

R. VENKATARAMAN,
President

Camp Shimla,
Dated, the 25th May, 1990.

[F. No. IV/11017/3/90-CSR]
NARESH CHANDRA, Home Secy.
RESIDUARY PROCEDURE FOR CONDUCT OF BUSINESS OF THE COUNCIL

In pursuance of clause (f) of paragraph 5 of the Inter-State Council order, 1990, the Council hereby lays down, with the approval of the Central Government, the following other procedure to be observed by it in the conduct of its business, namely:

1. Reference to the Council-If any matter is sought to be brought up before the Council by the Central Government or by the Government of any State or Union Territory, a formal reference shall be made to the Council, addressed to the Secretary of the Council, with a self-contained note setting out:

   (a) the issue or issues involved and the reasons for making the reference, together with supporting documents, if any; and

   (b) the constitutional and legal implications of the said issue or issues.

2. Examination of reference-(a) On receipt of the reference, the Secretariat of the Council shall examine it in all its aspects, inter-alia, with reference to the guidelines adopted by the Council and other relevant material. (b) After reference has been examined, the Secretary of the Council shall submit the case to the Chairman with his recommendation for obtaining the orders of the Chairman as to whether the issue or issues raised therein should be included in the Agenda for the meeting of the Council.

3. Inclusion of matters of general interest in the Agenda-It shall be open to the Secretariat to take up any proposal relating to a matter of general interest as referred to in clause (c) of paragraph 4 of the aforesaid Order and submit the same to the Chairman, for his orders as to its inclusion in the Agenda. If the Chairman approves such inclusion, the procedure in relation to such matter will be the same as for references received under paragraph 1 above.

4. Brief for the Meeting-If, under the orders of the Chairman, a matter is included in the Agenda for a meeting of the Council, the Secretariat shall proceed to prepare a comprehensive Brief for the meeting which should include a note explaining the issues involved in the matter under reference, the historical or other background, the constitutional and legal implications, the views of various authorities, institutions and other consulted by the Secretary on the said matter.

5. Meetings-The meetings of the Council shall be held in Delhi or any other convenient place determined by the Chairman.

6. Notice of meetings-Notice of every meeting shall be given to the Members at least ten days before the date of such meeting and such notice shall be accompanied by a copy of the agenda and other papers required by the Chairman to be circulated.
7. Attendance at meetings—The meetings of the Council shall be attended by its members. Others, including officials, may attend the Council’s meeting only with the prior approval of the Chairman.

8. Agenda—(a) The items of business to be transacted at any meeting of the Council shall be listed in an Agenda prepared with the approval of the Chairman.

(b) As far as possible the items of business shall be taken up for discussion in the order in which they are set out in the Agenda. No business, not included in the Agenda, shall be taken up at the meeting without the leave of the Chairman.

9. Discussion—(a) When any item in the agenda is taken up for discussion, the Chairman may initiate the discussion explaining the points involved or may request any Member concerned to do so and the Chairman may fix time to the Members for presenting their views.

(b) The discussion on any matter before the Council should be confined to the specific issue involved and reading prepared speeches may be avoided.

10. Report of the proceedings—(a) The Secretary shall cause to be prepared a report of the proceedings of the Council at each of its meetings in such form and manner as the Chairman may, from time to time, direct.

(b) A copy of the report of the proceedings shall be forwarded as soon as possible to the Central Government, the Governments of the States and Union Territories together with a copy of the formal recommendations, if any, made by the Council.

11. Record—The record to be maintained by the Secretariat shall consist of—

(i) the reference and all papers received under paragraph 1 for consideration of the matter;
(ii) all papers considered by the Council, including minutes of meetings held by the Secretary with officers and other authorities referred to in clause (a) of paragraph 15;
(iii) the final decision of the Council;
(iv) reports, if any, regarding actions taken on the recommendations of the Council.

12. Press Briefing—At the conclusion of a meeting, if the Chairman so directs, an appropriate press note may be released to the press on the proceedings of the Council.

13. Follow-up action—The Secretary shall evolve a system of monitoring the action taken on the recommendations of the Council by the Central Government, the Government of any State or the Union Territory concerned. He shall, at appropriate stages, cause information in this regard to be made available to the Council.

14. Residuary—All matters not provided for in this procedure and all questions relating to the conduct of the proceedings in the Council shall be regulated in such manner as the Chairman may, from time to time, direct.
15. Powers of the Secretary—For facilitating the work of the Council, including the preparation of papers for it, the Secretary of the Council shall have the power to—

(a) call for information or papers from, or hold discussions with, the officers of the Central Government or, as the case may be, of any State Government or Union Territory Administration or any other authorities or sources;

(b) issue instructions from time to time as to the manner of preparing the references to or the brief for the consideration of the Council and for the proper functioning the Secretariat of the Council;

(c) engage the services of institutions, experts or consultants on contract on such terms as may be approved by the Chairman.
GUIDELINES FOR IDENTIFYING AND SELECTING ISSUES TO BE BROUGHT UP BEFORE THE INTER-STATE COUNCIL

In pursuance of clause (a) of paragraph 5 of the Inter-State Council Order 1990, the Council hereby adopts the following guidelines for identifying and selecting issues to be brought up before it, namely:

1. (i) An issue to be brought up before the Council should fall within the purview of the duties enjoined on the Council under clauses (a) and (b) or, as the case may be, clause (c) of paragraph 4.

(ii) If any question arises as to whether the issue does or does not fall within the purview of the duties of the Council, it shall be decided by the Chairman whose decision thereon shall be final.

2. Subject to the provisions of the said Order and the orders made thereunder, any issue relating to the following matters may be brought up before the Council, namely:

(a) National appraisal of the measures taken to implement the Directive Principles of State Policy incorporated in Part IV of the Constitution.

(b) Any matter in the Union List, Concurrent List or the State List of the Constitution of India -

(i) in respect of which, there exists a common interest as referred to in clause (a) of paragraph 4 of the said Order or a need for better coordination as referred to in clause (b) of the paragraph, or as the case may be, it is matter of general interest as referred to in clause (c) of that paragraph, or

(ii) in respect of which the adoption, of an uniform policy in regard to legislation or executive action is desirable in the national interest.

(c) Proposal for legislation by the Union or a State on any matter in the Concurrent List, including amending legislation.

(d) Cooperation and assistance by the State in the implementation of laws made by Parliament and in the exercise of executive power of the Union in the State.

3. The following issues, as far as may be expedient, may not be brought up before the Council:

(i) Any issue which can be resolved by discussion at the official level or at the level of Ministers between the Central Government and the State Governments concerned.

(ii) Any issue which has to be considered or dealt with by the National Development Council, the National Integration Council, the Finance Commission, the Planning Commission or such other body or authority of a like nature as may be set up from time to time to deal with specific subjects relating to Centre-State relations.

(iii) Any issue which is currently under consideration or discussion in either House of Parliament or which is sub-judice.
(iv) Any issue relating to a matter which, under the Constitution, is left for the decision of a specified authority other than the Central Government such as the Election Commission or the Supreme Court etc.

(v) Any other issue the discussion of which may, in the opinion of the Chairman, create discord between the States or otherwise be against the public interest or against the interests of the sovereignty or integrity of India, the security of the State, friendly relations with foreign State or Public Order.

(vi) Any issue which relates to the discharge of any duty or special responsibility of the Union under the provisions of the Constitution or any law of Parliament.

Provided that if majority of the members of Inter-State Council propose the discussion of an issue or keeping in view the importance of a particular issue, it is considered desirable to do so, the Council may consider such an issue with the approval of the Chairman in terms of provisions of Clause 4(c) of the Presidential Order dated the 28th May, 1990.

"N.B. - The sub-clause (i-vi) mentioned under Para 3 above are only illustrative and not comprehensive."

Similar procedure will apply for the meetings of the Standing Committee.